

**Remark:**

Claims 3 and 5 are rejected under 35 U.S.C. 112 for lacking antecedent basis for the terms "the terminals" and "the foot print". Accordingly the term "the terminals" is replaced by the precise term "the remote ends" recited in the specification to provide a clear picture of the claim. The term "the foot print", which is unrelated to the key merit of the subject claim is also deleted to overcome the rejection for lack of antecedent basis.

Listed below is a recitation of MPEP 2173.05(e):

*"A CLAIM TERM WHICH HAS NO ANTECEDENT BASIS IN THE DISCLOSURE IS NOT NECESSARY INDEFINITE: The mere fact that a term or phrase used in the claim has no antecedent basis in the specification disclosure does not mean, necessary that the term or phrase is indefinite. **There is no requirement that the words in the claim must match those used in the specification disclosure.** Applicants are given a great deal of latitude in how they chose to define their invention so long as the term and phrases used define the invention with a reasonable degree of clarity and precision."*

List below is another quotation of MPEP 2173.05(e):

*EXAMINER SHOULD SUGGEST CORRECTION TO ANTECEDENT PROBLEMS: Antecedent problems in the claims are typically drafting oversights that are easily corrected once they are brought to the attention of applicant. The examiner's task of making sure the claim language complies with the requirements of the statute should be carried out in a positive and constructive way, so that minor problems can be identified and easily corrected, and so that the major effort is expended on more substantive issues.*

Applicant believes the proposed amendment had made the scope of the claims very clear as viewed by an ordinary person skill in the art. If there is any further amendment required in the specification to overcome the rejection of antecedent problem, the examiner is respectfully requested to provide suggest correction of the specification in accordance to MPEP 2173.05(e).

During the telephone interview dated January 20, 2005, the applicant and the examiner discussed FIG. 3 of Rahmey and how this drawing reads into the claim language of the existing claim 1. The examiner understood that the novelty area of applicant's display tag is characterized by the display area located in between the empty space of the hanger arms 24, 44, and 22, 42 of Rahmey. However, the examiner pointed out that the existing claim language is not clear enough to avoid uncertainty for a person having ordinary skill in the art to understand the scope, or range of the claim. The examiner further pointed out that very exact claim language to define the identified novelty area is required in order for claim 1 to be allowable. Accordingly the applicant respectfully submits the amendment proposed in this response, which intended to provide a very precise definition about the location of the display area to be claimed. In summary, the amended claim 1 added two more important limitations to the original language:

- (a) three regions are defined, the first region is positioned "vertically above" the first support arm; the second region is positioned "vertically above" the medial portion of the hanger and the third region is positioned "vertically above" the second arm; the display tag is characterized by the display areas positioned "substantially" on the first region and the third region defined.
- (b) the second limitation added is that the display areas are all front facing.

The specification is amended to provide antecedent supporting the precise definitions of the display areas positioned above the hanger, that replaces the broad recitation that the display is positioned "on top" of the hanger support arms. The term "medial portion" had already been clearly described in the original specification and therefore no amendment is required. Since all the claimed features had well presented in the specification and previous claims of the application, it is respectfully submitted that no new matters had been added to the application.

Accordingly the precisely defined display areas amended in claim 1 now clearly distinguished the claimed display tag from that of both Tass and Rahmey. Since the novelty area had been identified in the telephone conference and the strict/precise

requirement of the examiner had been met, allowance of claim 1 and the subject dependent claims is respectfully solicited.

Finally, applicant also respectfully requests the Examiner to propose broadest allowable claim or specification amendment, **“while taking care of the identified merits of the invention”**, pursuant to MPEP 707.07(j) if further amendment is required for the application to be allowed.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelop addressed to: Mail Stop Non-Fee Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 25, 2005.



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